



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,993	06/01/2001	Gregory Guttman	19312.0013	7543

44654 7590 01/26/2006

SPRINKLE IP LAW GROUP
1301 W. 25TH STREET
SUITE 408
AUSTIN, TX 78705

EXAMINER

HOANG, PHUONG N

ART UNIT PAPER NUMBER

2194

DATE MAILED: 01/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/870,993	Applicant(s) GUTTMANN ET AL.	
	Examiner Phuong N. Hoang	Art Unit 2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/03/06.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/18/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 – 16 are pending for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mikhailov et al., U.S. Pub No. U52001/0054046 (hereinafter Mikhailov) in view of Vaughn, US patent no. 6,353,446.
4. As to claim 15, Mikhailov teaches the invention as claimed including a method of developing/customizing web-based collaborative applications employing visual-based programming (E.g. see Abstract and associated text), comprising:

displaying a set of browser-based component wizards to develop application component types for a web-based (E.g. see Fig. 7A, Assign form URL Location 726 and associated text) collaborative application (E.g. see page 3, Section (0034) and associated text);

implementing functionally associated with a definition for each of the application component types, wherein the functionality exists prior to customization of the definition for each of the application component types (E.g. see page 3, Section (0034), which states "... form publishers may design their forms and associated repods on-line using a forms wizard and a repods wizard provided by the forms handling system..."); and

accessing and updating the definition (update the service definition, 0055 and 0039 and figure 6 and 7A) for at least one application component type using a corresponding component wizard.

While Mikhailov teaches the engine updates or replaces the existing definition of the application component type by replacing the existing definition application. Mikhailov does not explicitly teach the updating step comprises customizing step.

Vaughn teaches the wizards providing options for modifying an existing form (the service person selects a customization button modify an existing form, col. 7 lines 55 – col. 8 lines 10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Vaughn to Mikhailov's system because the updating existing definition application step only needs once the existing definition application is modified or edited.

5. Claims 1, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Art Unit: 2194

Mikhailov et al. (U.S. Pub No. U52001/0054046) in view of Vaughn, US patent no. 6,353,446, and further in view of Gupta (U.S. Patent 6853994).

6. As to claim 1, Mikhailov teaches that an automatic forms handling application service provided on a global computer network, such as the Internet. A form publisher submits a form and an associated report to the forms handling system (E.g. see Abstract and associated text). In that Mikhailov discloses the method that covering the steps of:

a user system operable to display a set of browser-based component wizards (E.g. see page 1, Section (0009). Form wizard and report wizard) to develop application component types and updating existing definitions for developed application component types (update the service definition, 0055 and 0039 and figure 6 and 7A) for a web-based (E.g. see Fig. 7A, Assign Form URL Location 726 and associated text) collaborative application', (E.g. see page 3, Section (0034) and associated text);

A network, coupled to a set of processing components and the user system, operable to communicate data (E.g. see Abstract and Fig. 1, communication network 20 and associated text) and the set of processing components, each processing component in the set for implementing functionality associated with a definition for each of the application component types, wherein the functionality exists prior to customization of the definition for each of the application component types, wherein the set of processing components comprises a form engine (E.g. see page 3, Section 10034), which states "... form publishers may design their forms and associated reports

Art Unit: 2194

on-line using a forms wizard and a reports wizard provided by the forms handling systemà...".

7. While Mikhailov teaches the engine updates or replaces the existing definition of the application component type by replacing the existing definition application.

Mikhailov does not explicitly teach the updating step comprises customizing step.

Vaughn teaches the wizards providing options for modifying an existing form (the service person selects a customization button modify an existing form, col. 7 lines 55 – col. 8 lines 10).

8. It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Vaughn to Mikhailov's system because the updating existing definition application step only needs once the existing definition application is modified or edited.

9. Mikhailov and Vaughn do not specifically disclose wherein the form engine comprises a business rule validator. However, Gupta teaches wherein the form engine comprises a business rule validator (E.g. see col. 9, line 64-col. 10, line 12 and figures 4 - 5).

10. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Gupta, Mikhailov, and Vaughn because Gupta teaching of the form engine comprises a business rule validator would improve the quality of the data and prevent errors and require less of operator intervention to test the data.

11. As to claim 16, this claim is rejected for the same reason as claim 1 above.

12. Claims 2 - 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mikhailov et al., U.S. Pub No. U52001/0054046 (hereinafter Mikhailov), in view of Vaughn, US patent no. 6,353,446, and further in view of Gupta (U.S. Patent 6853994), further in view of Courter et al., d"Microsoft Office 2000 Professional Edition", Sybex, Inc., 1999, Chapters 17-19, 21 (hereinafter Courter).

13. As to claims 2-14, these claims remain rejected in view of the same grounds of rejection as stated in the previous office action.

Response to Arguments

14. Applicant's arguments filed 11/03/05 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Art Unit: 2194

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong N. Hoang whose telephone number is (571)272-3763. The examiner can normally be reached on Monday - Friday 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2194

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ph
January 20, 2006


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER